

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANN PITTS

VS

CAUSE NO. CI 2015-0168-JE

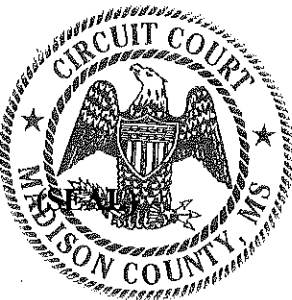
CITY OF MADISON, etal


CERTIFIED COPY OF COURT FILE

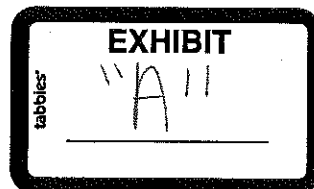
**STATE OF MISSISSIPPI
COUNTY OF MADISON**

I, LEE WESTBROOK, Clerk of the Circuit and County Court in and for the said State and County, do hereby certify that the attached is a true and correct copy of the entire Court file and the same is of record in this office in Canton, Madison County, Mississippi .

Given under my hand and seal of office this the 2nd day of December, 2015.




Lee Westbrook
Madison County Circuit Clerk



Mississippi Electronic Courts
Madison County Circuit Court (Circuit Court of Madison County)
CIVIL DOCKET FOR CASE #: 45CI1:15-cv-00168
Internal Use Only
Edit Case Data
Edit Case Participants

PITTS v. CITY OF MADISON et al
Assigned to: John H. Emfinger

Date Filed: 08/03/2015
Jury Demand: Plaintiff
Nature of Suit: 175 Other Torts
Jurisdiction: General

Plaintiff

JOANNE PITTS
508 TRACEVIEW ROAD
MADISON, MS 39157

represented by **Chuck Mcrae , Mr.**
Mcrae Law
416 E. Amite Street
JACKSON , MS 39201
601-944-1008
Fax: 8662367731
Email: chuck@mcraselaw.net
ATTORNEY TO BE NOTICED

V.

Defendant

CITY OF MADISON

Defendant

MADISON COUNTY, MISSISSIPPI

Defendant

**MADISON COUNTY SHERIFF
DEPARTMENT**

Defendant

**MADISON COUNTY SHERIFF
DEPUTIES**

Defendant

CHIEF GENE WALDROP

Defendant

INVESTIGATOR COLE TERRELL

Defendant




































SHERIFF RANDY TUCKER

























Defendant

Randy Harris

Defendant

**OTHER UNKNOWN JOHN A
DOES1-10**

Date Filed	#	Docket Text
07/31/2015	    <u>1</u> 	COMPLAINT against CITY OF MADISON, OTHER UNKNOWN JOHN A DOES1-10, Randy Harris, MADISON COUNTY SHERIFF DEPARTMENT, MADISON COUNTY SHERIFF DEPUTIES, MADISON COUNTY, MISSISSIPPI, INVESTIGATOR COLE TERRELL, SHERIFF RANDY TUCKER, CHIEF GENE WALDROP, filed by JOANNE PITTS. (Attachments: # <u>1</u> Civil Cover Sheet) (Johnson, Lindsay) (Entered: 08/03/2015)
11/11/2015	    <u>2</u> 	MOTION for Extension of Time to Serve Defendant by Plaintiff JOANNE PITTS, Defendants CITY OF MADISON, OTHER UNKNOWN JOHN A DOES1-10, Randy Harris, MADISON COUNTY SHERIFF DEPARTMENT, MADISON COUNTY SHERIFF DEPUTIES, MADISON COUNTY, MISSISSIPPI, INVESTIGATOR COLE TERRELL, SHERIFF RANDY TUCKER, CHIEF GENE WALDROP (Mcrae, Chuck) (Entered: 11/11/2015)
11/18/2015	    <u>3</u> 	AMENDED COMPLAINT against CITY OF MADISON, OTHER UNKNOWN JOHN A DOES1-10, MADISON COUNTY, MISSISSIPPI, INVESTIGATOR COLE TERRELL, SHERIFF RANDY TUCKER, CHIEF GENE WALDROP, filed by JOANNE PITTS. (Mcrae, Chuck) (Entered: 11/18/2015)
11/18/2015	    <u>4</u> 	SUMMONS Issued to Attorney as to (INVESTIGATOR COLE TERRELL, Individual and official capacity) (Sanders, Fannie) (Entered: 11/18/2015)
11/18/2015	    <u>5</u> 	SUMMONS Issued to Attorney as to SHERIFF RANDY TUCKER. (Sanders, Fannie) (Entered: 11/18/2015)
11/18/2015	    <u>6</u> 	SUMMONS Issued to Attorney as to CITY OF MADISON-c/o Penny McElroy, Municipal Clerk). (Sanders, Fannie) (Entered: 11/18/2015)
11/18/2015	    <u>7</u> 	SUMMONS Issued to Attorney as to CHIEF GENE WALDROP, Official Capacity) (Sanders, Fannie) (Entered: 11/18/2015)

		11/18/2015)
11/18/2015	   <u>8</u> 	SUMMONS Issued to Attorney as to MADISON COUNTY,MISSISSIPPI-c/o Mr. Ronny Lott). (Sanders, Fannie) (Entered: 11/18/2015)
11/18/2015	   <u>9</u> 	SUMMONS Returned Executed by JOANNE PITTS. CITY OF MADISON served on 11/18/2015, answer due 12/18/2015. Service type: Personal (Mcrae, Chuck) (Entered: 11/18/2015)
11/23/2015	   <u>10</u> 	SUMMONS Returned Executed by JOANNE PITTS. MADISON COUNTY,MISSISSIPPI served on 11/23/2015, answer due 12/23/2015. Service type: Personal (Mcrae, Chuck) (Entered: 11/23/2015)
11/23/2015	   <u>11</u> 	SUMMONS Returned Executed by JOANNE PITTS. CHIEF GENE WALDROP served on 11/20/2015, answer due 12/20/2015. Service type: Substituted (Mcrae, Chuck) (Entered: 11/23/2015)
11/23/2015	   <u>12</u> 	SUMMONS Returned Executed by JOANNE PITTS. SHERIFF RANDY TUCKER served on 11/20/2015, answer due 12/20/2015. Service type: Substituted (Mcrae, Chuck) (Entered: 11/23/2015)
11/25/2015	   <u>13</u> 	SUMMONS Returned Executed by JOANNE PITTS. INVESTIGATOR COLE TERRELL served on 11/23/2015, answer due 12/23/2015. Service type: Personal (Mcrae, Chuck) (Entered: 11/25/2015)

Select Event

Chancery Orders
ADR Documents

Go to Event

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IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

FILED
THIS DAY

PLAINTIFF

VS.

JUL 31 2015

CAUSE NO.: VI-2015-168-JE

CITY OF MADISON, MISSISSIPPI,
MADISON COUNTY, MISSISSIPPI,
MADISON COUNTY SHERIFF DEPARTMENT,
MADISON COUNTY SHERIFF DEPUTIES, in their official capacity,
CHIEF GENE WALDROP, in his official capacity,
INVESTIGATOR COLE TERRELL, in his official capacity,
SHERIFF RANDY TUCKER, in his official capacity,
ATTORNEY RANDY HARRIS, in his official capacity,
OTHER UNKNOWN JOHN and JANE DOES 1-10

LEE WESTBROOK
CIRCUIT CLERK

DEFENDANTS

COMPLAINT

Jury Trial Demanded

COMES NOW the Plaintiff, JOANNE PITTS, by and through counsel and files this Complaint against the aforementioned Defendants. In support of the same, Plaintiff would show unto the Court the following to wit:

PARTIES

1. The Plaintiff, Joanne Pitts, is an adult resident of the State of Mississippi wherein she resides at 508 Traceview Road, Madison, Mississippi 39110.
2. The Defendant, City of Madison, Mississippi, is and was at all times relevant herein a municipal entity created and authorized under the laws of the State of Mississippi. It is authorized by law to maintain a police department which acts as its agent in the area of law enforcement and for which it is ultimately responsible. Pursuant to Mississippi Code Annotated Section 12-3-47 (1972), this defendant may be served with process by affecting the same upon the officer of the Mayor of Madison Mississippi or the Municipal Clerk for the City of Madison, Mississippi.

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3. The Defendant, Madison County Sheriff Department, is a political entity, agency and/or political subdivision of Madison County, Mississippi, organized to provide security and safety to and for the citizens of Madison County and the City of Madison, Mississippi. This Defendant may be served with lawful process by serving Sheriff Randy Tucker, or his designee, at the Madison County Sheriff Department in Canton, Mississippi.
4. The Defendants, Madison County Sheriff Deputies, are adult resident citizens of Madison County, Mississippi. They are being sued in their official capacity. At all times material hereto they were employed by the Defendants, Madison County, Mississippi, Sheriff Randy Tucker and/or the Madison County Sheriff Department. It is believed that they were involved with the traffic stop on May 1, 2014. These deputies were involved in the wrongful taking of Plaintiff's vehicle. They may be served with lawful process at their place of employment the Madison County Sheriff Department in Canton, Mississippi.
5. The Defendant, Chief of Police, Gene Waldrop, is an adult resident citizen of the State of Mississippi wherein he resides in Madison County. At all times material hereto, this Defendant was the Chief of Police of the City of Madison, Mississippi, vested with the responsibility and authority to hire, fire, train, supervise, set policies and procedures, enforce the policies and procedures adopted or otherwise implemented and to provide protection to the citizens of Madison, Mississippi. The Defendant is sued in his official capacity. He may be served with lawful process at Madison Police Department, Madison, Mississippi, or by effecting service upon his duly authorized designee at the Madison Police Department in Madison, Mississippi.
6. The Defendant, Investigator Cole Terrell, is an adult resident of the State of Mississippi wherein he resides in Madison County. At all times material hereto, this Defendant was employed by the Madison Police Department. It is believed that this Defendant was

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responsible for the issuance and execution of the forfeiture of Plaintiff's car. His actions are vicariously attributable to the Defendant City of Madison. The Defendant is sued in his official capacity. He may be served with lawful process at his place of employment, the Madison Police Department.

7. The Defendant, Randy Tucker, is an adult resident of Madison County, Mississippi. At all times material hereto Randy Tucker was the duly elected Sheriff of Madison County, Mississippi. The Sheriff of Madison County, Mississippi is vested with the authority to provide protection to the citizens of Madison County, Mississippi. This Defendant may be served with lawful process at his place of employment, the Madison County Sheriff's Office in Canton, Mississippi. He is being sued in his official capacity.
8. The Defendant, Randy Harris, is an adult resident of Madison County, Mississippi. At all times material hereto Randy Harris was the Forfeiture Attorney for the City of Madison, Mississippi. The forfeiture attorney for the City of Madison, Mississippi is responsible for initiating proceedings to confiscate property connected with illegal activity. This Defendant may be served with lawful process at his place of employment at his offices in Jackson, Mississippi.
9. The Defendants, John and Jane Does 1-10, are parties whose identities are not known to the Plaintiff at this time. However, it is believed that they are adult residents of Madison County, Mississippi and through the discovery process; it is further believed that their true and accurate identities will become known and at that time the Plaintiff will seek leave of this Honorable Court to amend his Complaint to specifically name the unknown person as Defendants to this action.

JURISIDCTION AND VENUE

10. This Court has proper subject matter and personal jurisdiction over the claims, causes of action, and the Defendants in these proceedings. The venue is proper in Madison County, Mississippi, pursuant to Mississippi Code Annotated Section 11-11-3 as substantial acts, omissions, or events causing the Plaintiff's injury occurred in Madison County, Mississippi.

FACTS

11. On or about May 1, 2014, Joanne Pitts was traveling in a Red Chevrolet Pick-up when she witnessed her brother, Jeremy Shedd, who was traveling in a 2013 Honda Accord also owned by Ms. Pitts, being pulled over by Madison law enforcement officers. At the same time, Ms. Pitts was separately pulled over by Madison law enforcement. Thereafter, the officers discovered small amounts of methamphetamine and marijuana on and in the personal possession of Jeremy Shedd.
12. Both Mr. Shedd and Ms. Pitts were arrested and incarcerated. Although there was no link between Ms. Pitts and Mr. Shedd for purposes of seeking a conviction for Conspiracy to Possess Methamphetamine (Miss. Code Ann. §§ 97-1-1 and 41-29-139), the above parties proceeded to seek indictment of said crimes some five (5) months later.
13. No one advised Ms. Pitts where her 2013 Honda Accord was or claimed to have any records of the vehicle's whereabouts; therefore, she was unable to even retrieve her personal items from said vehicle.
14. As stated above, Ms. Pitts has not had her vehicle returned to her even though she is the right and true title holder to the vehicle and despite the fact that no illicit or illegal activity had occurred in the vehicle.
15. The Defendant have recently decline and dismissed the Conspiracy charge upon which the civil forfeiture of her vehicle was allegedly based. The taking of her vehicle occurred with no

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actual connection between her vehicle and the arrest of her brother. The drugs that were allegedly found were solely in the possession of her brother and not located in the car nor on the person of Ms. Pitts.

COUNT I: CONVERSION

16. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
17. As a result of the wrongful conduct by Defendant City of Madison's unlawful arrest of the Plaintiff, she was wrongfully deprived of possession of her rightful property.
18. After the Defendant falsely accused the Plaintiff of Conspiracy, Defendant City of Madison, through the action of the Madison Police Department, unnecessarily seized Ms. Pitts's 2013 Honda Accord. After seizing said vehicle, the Defendant exercised control and possession of the Plaintiff's vehicle despite the fact that the vehicle was had no connection to the narcotics allegedly found on the person of her brother.
19. The Defendant retained control and possession of the Plaintiff's vehicle for an unreasonable amount of time (approximately fourteen (14) months after they seized the car on May 1, 2014) even though the Plaintiff's vehicle was not property subject to forfeiture pursuant to Mississippi Code Annotated Section 41-29-153.
20. The acts and omissions of the Defendants were the direct and proximate cause of the damages suffered by Plaintiff since May 1, 2014 and continuing presently and into the future. Plaintiff's property has not been returned despite the fact that Defendants are aware that Plaintiff is the right and true title holder to the vehicle and it was not involved in the alleged illegal activities that would make it forfeitable under Mississippi Code Annotated Section 41-29-153.

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21. As a result of the Defendant's unlawful and intentional taking and dispossession of the Plaintiff's property, the Plaintiff suffered and continues to suffer from mental anguish, emotional distress and pain and suffering as a result of the Defendant's unlawful taking and withholding of the Plaintiff's property.

COUNT II: CIVIL CONSPIRACY

22. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
23. Defendants agreed to undertake and did undertake a course of unlawful action in combination and in concert with one another to deprive the Plaintiff of her freedom, to unlawfully deprive her of her property, to cause her severe emotional distress as a result of their slanderous statements and her unlawful arrest and to permanently damage the Plaintiff's reputation.
24. Defendants accomplished such purposes through the public defamation of the Plaintiff's character and reputation, knowingly making false accusations of criminal behavior against the Plaintiff by their repeated publication of false accusations of criminal behavior including her name and image throughout various media outlets.
25. In addition to the damage to the Plaintiff's personal reputation, the Plaintiff has also suffered and continues to suffer from mental anguish, emotional distress and pain and suffering as a result of Defendants' acts in furtherance of their conspiracy.

DAMAGES

26. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
27. As a result of the Defendants' actions described above, the Plaintiff sustained injuries and incurred substantial damages as listed below including, but not limited to the following:

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- a. The loss of her vehicle and the use and enjoyment of said vehicle;
- b. Attorney fees procured through the retention of a criminal attorney;
- c. Attorney fees in the amount of 40% together with all costs herein;
- d. Mental anguish and emotional distress;
- e. Pre and post-judgment interest at the annual rate of eight percent (8%); and
- f. Any other relief, economic or non-economic, which the Court or jury deems just or appropriate pursuant to the laws of the State of Mississippi based upon the facts and circumstances of this case.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully demands trial by jury and respectfully requests that judgment be entered against all Defendants, jointly and severally, for compensatory damages as shown by the evidence, pre and post-judgment interest, punitive damages, attorney's fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which the Plaintiff is otherwise entitled.

THIS the 31st day of July, 2015.

Respectfully submitted,
JOANNE PITTS, Defendant

BY: Chuck McRae
Chuck McRae, MSB #2804

CHUCK McRAE, MSB #2804
McRAE LAW FIRM, PLLC
416 EAST AMITE STREET
JACKSON, MISSISSIPPI 39201
Office: 601.944.1008
Facsimile: 866.236.7731
Email: chuck@mcraelaw.net

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FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Madison County

PITTS VS CITY OF MADISON, MADISON COUNTY

Case # CI 2015 168 Acct # Paid By CHECK 596 Rct# 70174

CV CLERK'S FEE	85.00
CV LAW LIBRARY	2.50
CV COURT REPORTER TAX	10.00
CV COURT EDUCATION	2.00
CV COURT ADMINISTRATOR	2.00
CV CIVIL LEGAL ASSISTANCE FUND	5.00
CV COMPREHENSIVE ELECTRONIC CT	10.00
CV JURY TAX	3.00
CV CONSTITUENTS FE	.50
CV RECORDS MANAGEMENT PROGRAM	1.00
CV-JUDICIAL SYS OPERATION FUND	40.00

=====

Total \$ 161.00

Payment received from MCRAE LAW FIRM, PLLC

Transaction 57372 Received 7/31/2015 at 16:23 Drawer 6 I.D. LINDSAY

Current Balance Due \$0.00 Receipt Amount \$ 161.00

By _____ D.C. Lee Westbrook, Circuit Clerk

Case # CI 2015 168 Acct # Paid By CHECK 596 Rct# 70174

COVER SHEET Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		Court Identification Document # <u>46107</u> Filed: 07/31/2015 Page 1 of 4 Docket Number County # <u>07</u> Judicial Court ID <u>3115</u> District (CH, CI, CO) Month Date Year Local Docket ID <u>JE</u>	
Mississippi Supreme Court Administrative Office of Courts Form AOC/01 (Revised 1/1/2001)		Case Number if filed prior to 1/1/94	
IN THE <u>CIRCUIT</u> COURT OF <u>MADISON</u> COUNTY			
Short Style of Case: <u>Joanne Pitts</u> Party Filing Initial Pleading: Type/Print Name <u>Chuck McRae</u> Check (✓) if Not an Attorney <u>Check (✓) if Pro Hac Vice</u> Signature <u>Chuck McRae</u> MS Bar No. <u>2804</u> Compensatory Damages Sought: \$ _____ Punitive Damages Sought: \$ _____ Is Child Support contemplated as an issue in this suit? Yes <u>✓</u> No <u> </u> If "yes" is checked, please submit a completed Child Support Information Sheet with Final Decree/Judgment			
PLAINTIFF - PARTY(IES) INITIALLY BRINGING SUIT SHOULD BE ENTERED FIRST (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL PLAINTIFFS ON SEPARATE FORM			
Individual <u>Pitts</u> Last Name <u>Joanne</u> First Name _____ (Maiden Name, if Applicable) _____ Middle Init. _____ Jr/Sr/III/IV _____ Address of Plaintiff <u>508 Traceview Road, Madison, Mississippi 39110</u> Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A / Agency _____ Business _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: _____ D/B/A: _____			
DEFENDANT - NAME OF DEFENDANT (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL DEFENDANTS ON SEPARATE FORM			
Individual _____ Last Name _____ First Name _____ (Maiden Name, if Applicable) _____ Middle Init. _____ Jr/Sr/III/IV _____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____ Estate of _____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____ D/B/A / Agency _____ Business <u>City of Madison, Mississippi</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below: _____ D/B/A: _____			
ATTORNEY FOR THIS DEFENDANT: _____ Bar No. _____ or Name: _____ Pro Hac Vice (✓) _____ (If known)			
In left hand column, check one (1) box that best describes the nature of this suit. In right hand column check all boxes which indicate secondary claims.			
Business/Commercial <input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Business Dissolution - Corporation <input type="checkbox"/> Business Dissolution - Partnership <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input type="checkbox"/> Examination of Debtor <input type="checkbox"/> Execution <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Pension <input type="checkbox"/> Receivership <input type="checkbox"/> Replevin <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other _____ Domestic Relations <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Differences <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> UIFSA (formerly URESA) <input type="checkbox"/> Other _____ Contract <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Product Liability under Contract <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other _____	Probate <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Other _____ Statutes/Rules <input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> ERISA <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Extraordinary Writ <input type="checkbox"/> Federal Statutes <input type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Municipal Annexation <input type="checkbox"/> Racketeering (RICO) <input type="checkbox"/> Railroad <input type="checkbox"/> Seaman <input type="checkbox"/> Other _____ Appeals <input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Employment Security Comm'n <input type="checkbox"/> Municipal Court <input type="checkbox"/> Oil & Gas Board <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other _____	Children and Minors - Non-Domestic <input type="checkbox"/> Adoption - Noncontested <input type="checkbox"/> Consent to Abortion for Minor <input type="checkbox"/> Removal of Minority <input type="checkbox"/> Other _____ Torts - Personal Injury <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Products Liability <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other <u>Conversion/Int'l Conspiracy</u> Mass Tort <input type="checkbox"/> Asbestos <input type="checkbox"/> Chemical Spill <input type="checkbox"/> Dioxin <input type="checkbox"/> Hand/Arm Vibration <input type="checkbox"/> Hearing Loss <input type="checkbox"/> Radioactive Materials <input type="checkbox"/> Other _____ Real Property <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Receiver Appointment <input type="checkbox"/> Tax Sale: Confirmation/Cancellation <input type="checkbox"/> Title, Boundary &/or Easement <input type="checkbox"/> Other _____ Civil Rights <input type="checkbox"/> Elections <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief <input type="checkbox"/> Prisoner <input type="checkbox"/> Other _____	

Case No. 15-CV-00168 Document # 1-1 Filed: 07/31/2015 Page 2 of 4
 IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JUDICIAL DISTRICT, CITY OF _____

Docket No. _____
 File Yr _____ Chronological No. _____ Clerk's Local ID _____

Docket No. If Filed
 Prior to 1/1/94 _____

**DEFENDANTS IN REFERENCED CAUSE - Page 1 of 3 Defendants Pages
 IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET**

Defendant #2:

Individual:

Last Name _____

First Name _____

(Maiden Name, if Applicable) _____

Middle Init. _____

Jr/Sr/III/IV _____

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business Madison County, Mississippi

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant #3:

Individual:

Last Name _____

First Name _____

(Maiden Name, if Applicable) _____

Middle Init. _____

Jr/Sr/III/IV _____

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business Madison County Sheriff's Department

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant #4:

Individual:

Last Name _____

First Name _____

(Maiden Name, if Applicable) _____

Middle Init. _____

Jr/Sr/III/IV _____

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business Madison County Sheriff's Deputies

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Case 3:15-cv-00168 Document #: 1-1 Filed: 07/31/2015 Page 3 of 4
In the Circuit Court of Madison County, Mississippi

JUDICIAL DISTRICT, CITY OF

Docket No. _____
File Yr _____ Chronological No. _____ Clerk's Local ID _____Docket No. If Filed
Prior to 1/1/94 _____DEFENDANTS IN REFERENCED CAUSE - Page 2 of 3 Defendants Pages
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEETDefendant # 5 :Individual: Waldrop Gene _____
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of _________ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
D/B/A _____

Business _____

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant # 6 :Individual: Terrell Cole _____
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of _________ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
D/B/A _____

Business _____

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant # 7 :Individual: Tucker Randy _____
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of _________ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
D/B/A _____

Business _____

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Case: 15-cv-00168 Document #: 1-1 Filed: 07/31/2015 Page 4 of 4
 IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JUDICIAL DISTRICT, CITY OF

Docket No. _____
 File Yr _____ Chronological No. _____ Clerk's Local ID _____

Docket No. If Filed
 Prior to 1/1/94 _____

DEFENDANTS IN REFERENCED CAUSE - Page 3 of 3 Defendants Pages
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Defendant # 8 :

Individual: Harris Last Name Randy First Name (_____) Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant # _____ :

Individual: _____ Last Name _____ First Name (_____) Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:
 D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant # _____ :

Individual: _____ Last Name _____ First Name (_____) Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

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 Estate of _____

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Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:
 D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS.

CAUSE NO.: CI-2015-168-JE

**CITY OF MADISON, MISSISSIPPI,
MADISON COUNTY, MISSISSIPPI,
MADISON COUNTY SHERIFF DEPARTMENT,
MADISON COUNTY SHERIFF DEPUTIES, in their official capacity,
CHIEF GENE WALDROP, in his official capacity,
INVESTIGATOR COLE TERRELL, in his official capacity,
SHERIFF RANDY TUCKER, in his official capacity,
ATTORNEY RANDY HARRIS, in his official capacity,
OTHER UNKNOWN JOHN and JANE DOES 1-10**

DEFENDANTS

PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO SERVE ALL DEFENDANTS

COMES NOW, the Plaintiff, **JOANNE PITTS**, by and through Counsel, and files this Motion for Extension of Time to Serve all Defendants in the instant action and in support thereof, the Plaintiff states as follows:

1. The Plaintiff filed her Complaint on July 31, 2015 [1]. In said Complaint, the Plaintiff named as Defendants various individuals and entities located within Madison County, Mississippi.
2. Pursuant to Miss. R. Civ. P. 4(h), the Plaintiff is afforded a one hundred and twenty (120) day period in which she may effect proper service upon these Defendants. The deadline for effected service is Saturday, November 28, 2015. Since the deadline falls on a weekend, Mississippi law mandates that the deadline, for all intents and purposes, to effect service upon all named Defendants is now Monday, November 30, 2015.
3. In light of her recent inability to effect proper service upon the Defendants and out of an abundance of caution, the Plaintiff hereby respectfully requests this Court grant her an

Case: 45Cl1:15-cv-00168 Document #: 2 Filed: 11/11/2015 Page 2 of 2

additional forty-five (45) days from November 30, 2015 in order that she may avoid any actual prejudice in case she is still unable to serve the Defendants by November 30, 2015.

4. The Plaintiff therefore requests this Court set the date of January 14, 2016 as the new deadline for service of process on all Defendants.
5. The instant Motion is not made for the purposes of delay or prejudice but, rather, to ensure that the necessary parties have been properly served as required by law.

FOR THESE REASONS, the Plaintiff respectfully requests this Court **GRANT** her Motion for an Extension of Time to Serve all Defendants in the instant action.

THIS the 11th day of November, 2015.

Respectfully submitted,
JOANNE PITTS, Plaintiff

BY: /s/ Chuck McRae
CHUCK McRAE, MSB #2804

CHUCK McRAE, MSB #2804
McRAE LAW FIRM, PLLC
416 EAST AMITE STREET
JACKSON, MS 39201
Tel.: 601.944.1008
Facsimile: 866.236.7731
Email: chuck@mcranelaw.net

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS.

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI,
MADISON COUNTY, MISSISSIPPI,
SHERIFF RANDY TUCKER, in his official capacity,
INVESTIGATOR COLE TERRELL, in his official and individual capacity,
CHIEF GENE WALDROP, in his official capacity,
OTHER UNKNOWN JOHN and JANE DOES 1-10

DEFENDANTS

AMENDED COMPLAINT

Jury Trial Demanded

COMES NOW the Plaintiff, JOANNE PITTS, by and through counsel and files this Amended Complaint against the aforementioned Defendants. In support of the same, Plaintiff would show unto the Court the following to wit:

PARTIES

1. The Plaintiff, Joanne Pitts, is an adult resident of the State of Mississippi wherein she resides at 508 Traceview Road, Madison, Mississippi 39110.
2. The Defendant, City of Madison, Mississippi, is and was at all times relevant herein a municipal entity created and authorized under the laws of the State of Mississippi. It is authorized by law to maintain a police department which acts as its agent in the area of law enforcement and for which it is ultimately responsible. Pursuant to Mississippi Code Annotated Section 12-3-47 (1972), this defendant may be served with process by affecting the same upon the officer of the Mayor of Madison Mississippi or the Municipal Clerk for the City of Madison, Mississippi.
3. The Defendant, Madison County, Mississippi is a political subdivision of the State of Mississippi and is the entity responsible for the oversight and funding of the Madison

County Sheriff's Department. This Defendant may be served with process by effecting the same upon the president of the Board of Supervisors, Mr. Karl Banks, and/or the Chancery Clerk for Madison County, Mississippi, Mr. Ronny Lott, at the Madison County Courthouse in Canton, Mississippi.

4. The Defendant, Randy Tucker, is an adult resident of Madison County, Mississippi. At all times material hereto Randy Tucker was the duly elected Sheriff of Madison County, Mississippi. The Sheriff of Madison County, Mississippi is vested with the authority to provide protection to the citizens of Madison County, Mississippi. This Defendant may be served with lawful process at his place of employment, the Madison County Sheriff's Office in Canton, Mississippi. He is being sued in his official capacity.
5. The Defendant, Investigator Cole Terrell, is an adult resident of the State of Mississippi wherein he resides in Madison County. At all times material hereto, this Defendant was employed by the Madison Police Department. It is believed that this Defendant was responsible for the issuance and execution of the forfeiture of Plaintiff's car. His actions are vicariously attributable to the Defendant City of Madison. The Defendant is sued in his individual and official capacity. He may be served with lawful process at his place of employment, the Madison Police Department.
6. The Defendant, Chief of Police, Gene Waldrop, is an adult resident citizen of the State of Mississippi wherein he resides in Madison County. At all times material hereto, this Defendant was the Chief of Police of the City of Madison, Mississippi, vested with the responsibility and authority to hire, fire, train, supervise, set policies and procedures, enforce the policies and procedures adopted or otherwise implemented and to provide protection to the citizens of Madison, Mississippi. The Defendant is sued in his official capacity. He may be served with lawful process at Madison Police Department, Madison, Mississippi, or by

effecting service upon his duly authorized designee at the Madison Police Department in Madison, Mississippi.

7. The Defendants, John and Jane Does 1-10, are parties whose identities are not known to the Plaintiff at this time. However, it is believed that they are adult residents of Madison County, Mississippi and through the discovery process; it is further believed that their true and accurate identities will become known and at that time the Plaintiff will seek leave of this Honorable Court to amend his Complaint to specifically name the unknown person as Defendants to this action.

JURISIDCTION AND VENUE

8. This Court has proper subject matter and personal jurisdiction over the claims, causes of action, and the Defendants in these proceedings. The venue is proper in Madison County, Mississippi, pursuant to Mississippi Code Annotated Section 11-11-3 as substantial acts, omissions, or events causing the Plaintiff's injury occurred in Madison County, Mississippi.

FACTS

9. On or about May 1, 2014, Joanne Pitts was traveling in a Red Chevrolet Pick-up when she witnessed her brother, Jeremy Shedd, who was traveling in a 2013 Honda Accord also owned by Ms. Pitts, being pulled over by Madison law enforcement officers. At the same time, Ms. Pitts was separately pulled over by Madison law enforcement. Thereafter, the officers discovered small amounts of methamphetamine and marijuana on and in the personal possession of Jeremy Shedd.
10. Both Mr. Shedd and Ms. Pitts were arrested and incarcerated. Although there was no link between Ms. Pitts and Mr. Shedd for purposes of seeking a conviction for Conspiracy to Possess Methamphetamine (Miss. Code Ann. §§ 97-1-1 and 41-29-139), the above parties proceeded to seek indictment of said crimes some five (5) months later.

11. No one advised Ms. Pitts where her 2013 Honda Accord was, or claimed to have any records of the vehicle's whereabouts; therefore, she was unable to even retrieve her personal items from said vehicle, including a weapon registered to the Plaintiff.
12. As stated above, Ms. Pitts has not had her vehicle returned to her even though she is the right and true title holder to the vehicle and despite the fact that no illicit or illegal activity had occurred in the vehicle. Upon information and belief, the vehicle is now registered to an entity of Defendant, City of Madison, Mississippi. The title of said vehicle is now believed to be in the name of the City of Madison Police Department.
13. The Defendants have recently decline and dismissed the Conspiracy charge upon which the civil forfeiture of her vehicle was allegedly based. The taking of her vehicle occurred with no actual connection between her vehicle and the arrest of her brother. The drugs that were allegedly found were solely in the possession of her brother and not located in the car nor on the person of Ms. Pitts.

COUNT I: CONVERSION

14. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
15. As a result of the wrongful conduct by Defendant City of Madison's unlawful arrest of the Plaintiff, she was wrongfully deprived of possession of her rightful property.
16. After the Defendant falsely accused the Plaintiff of Conspiracy, Defendant City of Madison, through the action of the Madison Police Department, unnecessarily seized Ms. Pitts' 2013 Honda Accord. After seizing said vehicle, the Defendant exercised control and possession of the Plaintiff's vehicle despite the fact that the vehicle was had no connection to the narcotics allegedly found on the person of her brother.

17. The Defendant retained control and possession of the Plaintiff's vehicle for an unreasonable amount of time (approximately eighteen (18) months after they seized the car on May 1, 2014) even though the Plaintiff's vehicle was not property subject to forfeiture pursuant to Mississippi Code Annotated Section 41-29-153.
18. The acts and omissions of the Defendants were the direct and proximate cause of the damages suffered by Plaintiff since May 1, 2014 and continuing presently and into the future. Plaintiff's property has not been returned despite the fact that Defendants are aware that Plaintiff is the right and true title holder to the vehicle and it was not involved in the alleged illegal activities that would make it forfeitable under Mississippi Code Annotated Section 41-29-153.
19. As a result of the Defendant's unlawful and intentional taking and dispossession of the Plaintiff's property, the Plaintiff suffered and continues to suffer from mental anguish, emotional distress and pain and suffering as a result of the Defendant's unlawful taking and withholding of the Plaintiff's property.

COUNT II: CIVIL CONSPIRACY

20. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
21. Defendants agreed to undertake and did undertake a course of unlawful action in combination and in concert with one another to deprive the Plaintiff of her freedom, to unlawfully deprive her of her property, to cause her severe emotional distress as a result of their slanderous statements and her unlawful arrest and to permanently damage the Plaintiff's reputation.
22. Defendants accomplished such purposes through the public defamation of the Plaintiff's character and reputation, knowingly making false accusations of criminal behavior against

the Plaintiff by their repeated publication of false accusations of criminal behavior including her name and image throughout various media outlets.

23. In addition to the damage to the Plaintiff's personal reputation, the Plaintiff has also suffered and continues to suffer from mental anguish, emotional distress and pain and suffering as a result of Defendants' acts in furtherance of their conspiracy.

**COUNT III: VIOLATIONS OF MISSISSIPPI AND UNITED STATES
CONSTITUTIONAL GUARANTEES AGAINST UNLAWFUL SEARCH AND
SEIZURE**

24. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
25. As a result of the wrongful conduct by Defendant City of Madison's unlawful seizure of the Plaintiff's vehicle, she was deprived of possession of her rightful property, including all personal effects therein under the pretext of a traffic stop which resulted in a conspiracy charge. Said effects included money as well as Plaintiff's personal and lawfully owned firearm. The conspiracy charge against the Plaintiff was later dismissed by the Defendant as no basis in fact or law existed for its existence.
26. As a result of the Defendants' unlawful seizure of the Plaintiff's property, including her vehicle, money, and firearm, the Plaintiff has greatly suffered damages in the form of replacement transportation, loss of financial support, emotional distress, amongst other damages, attorney's fees and forced participation for criminal charges.

DAMAGES

27. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereinafter.
28. As a result of the Defendants' actions described above, the Plaintiff sustained injuries and incurred substantial damages as listed below including, but not limited to the following:

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- a. The loss of her vehicle and the use and enjoyment of said vehicle;
- b. Attorney fees procured through the retention of a criminal attorney;
- c. Attorney fees in the amount of 40% together with all costs herein;
- d. Mental anguish and emotional distress;
- e. Pre and post-judgment interest at the annual rate of eight percent (8%); and
- f. Any other relief, economic or non-economic, which the Court or jury deems just or appropriate pursuant to the laws of the State of Mississippi based upon the facts and circumstances of this case.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully demands trial by jury and respectfully requests that judgment be entered against all Defendants, jointly and severally, for compensatory damages as shown by the evidence, pre and post-judgment interest, punitive damages, attorney's fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which the Plaintiff is otherwise entitled.

THIS the 18th day of November, 2015.

Respectfully submitted,
JOANNE PITTS, Defendant

BY: s/ Chuck McRae
Chuck McRae, MSB #2804

CHUCK McRAE, MSB #2804
McRAE LAW FIRM, PLLC
416 EAST AMITE STREET
JACKSON, MISSISSIPPI 39201
Office: 601.944.1008
Facsimile: 866.236.7731
Email: chuck@mcraelaw.net

Case: 45Cl1:15-cv-00168 Document #: 4 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: INVESTIGATOR COLE TERRELL, individual and official capacity
2001 Main Street
Madison, Mississippi 39110

NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

You are required to mail or hand-deliver a copy of a written response to the Complaint to McRae Law Firm, attorneys for the Plaintiff, whose address is 416 East Amite Street, Jackson, Mississippi, 39201. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint, if you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your original response or motion with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the ____ day of _____, 2015.

(seal)

Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 4 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

- ☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with
(name) _____, a person of suitable
age and discretion who resides there, on *(date)* _____, and mailed a copy
to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of
organization)* _____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because _____
_____; or
- ☐ Other *(Specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Case: 45Cl1:15-cv-00168 Document #: 5 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: SHERIFF RANDY TUCKER, official capacity
2941 U.S. Highway 51
Canton, Mississippi 39046

NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

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Issued under my hand and the seal of said Court, this the ____ day of _____, 2015.

(seal)

Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 5 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

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_____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with
(name) _____, a person of suitable
age and discretion who resides there, on *(date)* _____, and mailed a copy
to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of
organization)* _____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because _____
_____; or
- ☐ Other *(Specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Case: 45Cl1:15-cv-00168 Document #: 6 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: CITY OF MADISON, MISSISSIPPI
c/o Penny McElroy, Municipal Court Clerk
2001 Main Street
Madison, Mississippi 39130

NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

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Issued under my hand and the seal of said Court, this the ____ day of _____, 2015.

(seal)

Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 6 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

- ☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with
(name) _____, a person of suitable
age and discretion who resides there, on *(date)* _____, and mailed a copy
to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of
organization)* _____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because _____
_____; or
- ☐ Other *(Specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Case: 45Cl1:15-cv-00168 Document #: 7 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: CHIEF GENE WALDROP, official capacity
2001 Main Street
Madison, Mississippi 39110

NOTICE TO DEFENDANT

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AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

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Issued under my hand and the seal of said Court, this the ____ day of _____, 2015.

(seal)

Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 7 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

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who is designated by law to accept service of process on behalf of *(name of
organization)* _____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because _____
_____; or
- ☐ Other *(Specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Case: 45CI1:15-cv-00168 Document #: 8 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: MADISON COUNTY, MISSISSIPPI
c/o Mr. Ronny Lott
146 West Center Street
Canton, Mississippi 39046

NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
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Issued under my hand and the seal of said Court, this the ____ day of _____, 2015.

(seal)

Clerk of Court

Case: 45CI1:15-cv-00168 Document #: 8 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

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Date: _____

Server's signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Case: 45Cl1:15-cv-00168 Document #: 9 Filed: 11/18/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: CITY OF MADISON, MISSISSIPPI
c/o Penny McElroy, Municipal Court Clerk
2001 Main Street
Madison, Mississippi 39130

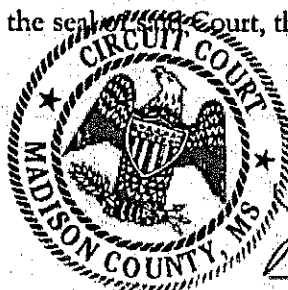
NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

You are required to mail or hand-deliver a copy of a written response to the Complaint to McRae Law Firm, attorneys for the Plaintiff, whose address is 416 East Amite Street, Jackson, Mississippi, 39201. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint, if you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your original response or motion with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of this Court, this the 18 day of November, 2015.

(seal)



Lee Westbrooke By [Signature]
Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 9 Filed: 11/18/2015 Page 2 of 2

PROOF OF SERVICE

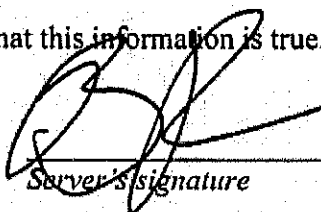
This summons for (name of individual and title, if any) City of Madison, MS
 was received by me on (date) 11.18.15 clerk Penny McElroy Municipal Court Clerk

- ☒ I personally served the summons on the individual at (place) Madison, MS
 on (date) 11.18.15; or
- ☐ I left the summons at the individual's residence or usual place of abode with
 (name) _____, a person of suitable
 age and discretion who resides there, on (date) _____, and mailed a copy
 to the individual's last known address; or
- ☐ I served the summons on (name of individual) _____,
 who is designated by law to accept service of process on behalf of (name of
 organization) _____ on (date) _____; or
- ☐ I returned the summons unexecuted because _____
 _____; or
- ☐ Other (Specify): _____

My fees are \$ 0 for travel and \$ 0 for services, for a total \$ 0.

I declare under penalty of perjury that this information is true.

Date: 11.18.15


 Server's signature

Bradley Poore, Esq.
 Printed name and title

416 E. Amite St., Jackson, MS
 Server's Address 39201

Additional information regarding attempted service, etc:

Case: 45CI1:15-cv-00168 Document #: 10 Filed: 11/23/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

**THE STATE OF MISSISSIPPI
COUNTY OF MADISON**

**TO: MADISON COUNTY, MISSISSIPPI
c/o Mr. Ronny Lott
146 West Center Street
Canton, Mississippi 39046**

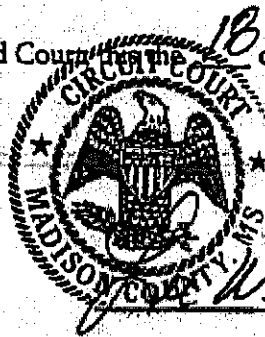
NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

You are required to mail or hand-deliver a copy of a written response to the Complaint to McRae Law Firm, attorneys for the Plaintiff, whose address is 416 East Amite Street, Jackson, Mississippi, 39201. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint, if you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your original response or motion with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 18 day of Nov, 2015.

(seal)



Westhuter By [Signature]
Clerk of Court

PROOF OF SERVICE

This summons for (name of individual and title, if any) Ronnie Cott
 was received by me on (date) 18 Nov 2015.

☒ I personally served the summons on the individual at (place) 146 West Carfax
St. Charles, MO on (date) 23 Nov 2015; or

☐ I left the summons at the individual's residence or usual place of abode with
 (name) _____, a person of suitable age
 and discretion who resides there, on (date) _____, and mailed a copy to the
 individual's last known address; or

☐ I served the summons on (name of individual) _____, who
 is designated by law to accept service of process on behalf of (name of organization)
 _____ on (date) _____; or

☐ I returned the summons unexecuted because _____
 _____; or

☐ Other (Specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ 10⁰⁰.

I declare under penalty of perjury that this information is true.

Date: 23 Nov 2015

Server's signature

Chad Clements Process Server
 Printed name and title

210 Maryland Dr. Benton MO
 Server's Address

Additional information regarding attempted service, etc:

Case: 45CI1:15-cv-00168 Document #: 11 Filed: 11/23/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

**THE STATE OF MISSISSIPPI
COUNTY OF MADISON**

**TO: CHIEF GENE WALDROP, official capacity
2001 Main Street
Madison, Mississippi 39110**

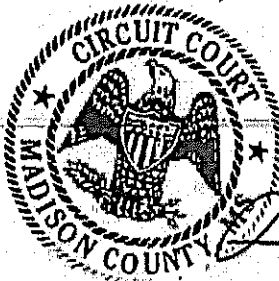
NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

You are required to mail or hand-deliver a copy of a written response to the Complaint to McRae Law Firm, attorneys for the Plaintiff, whose address is 416 East Amite Street, Jackson, Mississippi, 39201. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint, if you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your original response or motion with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 18 day of Nov, 2015.

(seal)



Lee West
Clerk of Court

Case: 45CI1:15-cv-00168 Document #: 11 Filed: 11/23/2015 Page 2 of 2

PROOF OF SERVICE

This summons for (name of individual and title, if any) Chief Gene Wallop was received by me on (date) 18 NOV 2015.

- ☐ I personally served the summons on the individual at (place) _____ on (date) _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with (name) _____, a person of suitable age and discretion who resides there, on (date) _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on (name of individual) Liz Haines Admin Asst., who is designated by law to accept service of process on behalf of (name of organization) Chief Gene Wallop on (date) 20 Nov 2015; or
- ☐ I returned the summons unexecuted because _____; or
- ☐ Other (Specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ 50⁰⁰.

I declare under penalty of perjury that this information is true.

Date: 20 NOV 2015

[Signature]
Server's signature

Chris Clements Process Server
Printed name and title

223 Maryland Dr Brandon MS
Server's Address

Additional information regarding attempted service, etc:

Ms Liz Haines stated the Chief is in Jackson, MS in a meeting and she talked with him and she can accept summons on his behalf.

Case: 45Cl1:15-cv-00168 Document #: 12 Filed: 11/23/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: SHERIFF RANDY TUCKER, official capacity
2941 U.S. Highway 51
Canton, Mississippi 39046

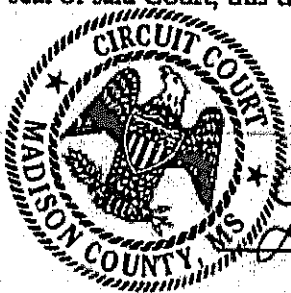
NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

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Issued under my hand and the seal of said Court, this the 18 day of Nov, 2015.

(seal)



Lee Westbury By [Signature]
Clerk of Court

Case: 45Cl1:15-cv-00168 Document #: 12 Filed: 11/23/2015 Page 2 of 2

PROOF OF SERVICE

This summons for (name of individual and title, if any) Sheriff Randy Tucker
was received by me on (date) 18 Nov 2015.

- ☐ I personally served the summons on the individual at (place) _____
_____ on (date) _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with
(name) _____, a person of suitable
age and discretion who resides there, on (date) _____, and mailed a copy
to the individual's last known address; or
- ☒ I served the summons on (name of individual) LeAnn Sanders Adm Asst.
who is designated by law to accept service of process on behalf of (name of
organization) _____ on (date) _____; or
- ☐ I returned the summons unexecuted because _____
_____; or
- ☐ Other (Specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ _____.

I declare under penalty of perjury that this information is true.

Date: 20 Nov 2015

Chris Clemente
Server's signature

Chris Clemente Process Server
Printed name and title

213 Meadow Lark Dr Bensenville
Server's Address

Additional information regarding attempted service, etc:

Ms. LeAnn Sanders stated that she accepted summons on behalf
of Sheriff Randy Tucker. She stated this is practice @ Madison
Sheriff's Office.

Case: 45CI1:15-cv-00168 Document #: 13 Filed: 11/25/2015 Page 1 of 2

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JOANNE PITTS

PLAINTIFF

VS

CAUSE NO.: CI-2015-168-JE

CITY OF MADISON, MISSISSIPPI, ET AL.

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF MADISON

TO: INVESTIGATOR COLE TERRELL, individual and official capacity
2001 Main Street
Madison, Mississippi 39110

NOTICE TO DEFENDANT

***THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT,
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.***

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Issued under my hand and the seal of said Court, this the 18 day of November, 2015.

(seal)



Lee Weststrate By [Signature]
Clerk of Court

PROOF OF SERVICE

This summons for (name of individual and title, if any) Cole Terrell
 was received by me on (date) 18 Nov 2015.

- ☒ I personally served the summons on the individual at (place) Mesa Police Dept Madison Ave on (date) 23 Nov 2015; or
- ☐ I left the summons at the individual's residence or usual place of abode with (name) _____, a person of suitable age and discretion who resides there, on (date) _____, and mailed a copy to the individual's last known address; or
- ☐ I served the summons on (name of individual) _____, who is designated by law to accept service of process on behalf of (name of organization) _____ on (date) _____; or
- ☐ I returned the summons unexecuted because _____; or
- ☐ Other (Specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total \$ 50.00.

I declare under penalty of perjury that this information is true.

Date: 23 Nov 2015

Cheryl
 Server's signature

Cheryl Cheryl
 Printed name and title

213 Madison Ave Suite 200 Phoenix AZ
 Server's Address

Additional information regarding attempted service, etc: